APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 09/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 8/13/02 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: *none*.

   Claim(s) objected to: *none*.

   Claim(s) rejected: *1-16 and 18-20*.

   Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: The Applicant's arguments do not overcome the rejections because the cited prior art fully discloses the claimed invention. In 112, first paragraph rejection, for at least amended claim 1 with a new limitation " ... such that the job management device can determine whether or not to route an input job having a specific mode to the image forming apparatus based on whether any of the jobs stored in the memory has the specific mode of the input job." and " for amended claim 16 with a new limitation " wherein when said input job has a specific mode, said control device selects an imag forming apparatus whose memory stores a job having the specific mode of the input job". These above limitations of both claims recite a server selects an image forming apparatus based on jobs stored in a memory of the image forming apparatus having the specific mode of the input job. However, lines 7-10 and 14-19 in page 18 in the specification, a server 6 just select a printer based on stored jobs in hard disk 206 of the server, not a memory of the printer, and printer status. The stored jobs, which is understood by the examiner, are th Page Description Language from computers 1 and 2 including any of modes for printing is recorded on hard disk 206.

Hower clearly teaches that a controller (a server 25 in fig. 2) for selecting one of the plurality of image forming apparatuses (a plurality of printers from12-1 to 12-N in fig. 2) connected with the network, wherein when an input job (i.e., job ticket 35 in fig. 2) has a specific mode (i.e., the properties of the printer: tray, finishing, stock, type of page described in fig. 3 and 5; col.4, lines 5-10) , the controller selects an image forming apparatus which has the specific mode at the time the selection is made (note: after the job ticket or the combination of print job selections from the host computer is matched with printer properties provided in one of the stored printer profiles, in col. 4, lines 52-55, then one of the print profiles is selected , in col. 4, lines 55-61, finally one of printers is selected based on the selected one of printer profile, in col. 4, lines 33-37; print job is formed and including the property of the printer and also including the selected printer, col. 4, line 65 to col. 5, line 2).

Although neither Hower nor Shibusawa teach a printer stores its own information such as properties, it would have been obvious in orde for each of printers which has its own properties and which stores its own properties in the printer because the printer uses its own properties to perform the printing based on the commands from either the computer or a server. Thus, one or more properties being stored in the selected printer should be matched with the properties of selected printer in the server, so that the selected printer uses its own properties to perform the printing based on the commands from the server. Furthermore, Maniwa teaches an image forming apparatus comprising a memory for storing jobs (i.e., print profiles 1-n in fig. 8, note, in fig. 8; col. 21, lines 1-15, scan profile of digital copier 102 and scan profile of the server 104 are matched each other).

the limitation of "the memory of the printer" is to be not read into claim 1. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed Cir. 1993).. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, if the applicant compares between th limitation of (1) above and (2), the applicant will be find the limitations (1) is quite different (2). Because, in the limitation of (2) requires: first, a particular type of print job (note: the print job which should include print data and command data and which should be created from the user application or a server) is stored in the memory of the printer, and then a printer is selected based on that information. the limitation of "discriminating means for discriminating a status of the memory based on whether the memory stores a job having a specific mode" is not to be supported by anywhere in the specification of the application. Although Hower does not teaches the printer

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having reporting means for reporting the status of memory which indicates a specific mode in the stored job to the server, Hower teache the server already stores a plurality of modes of each of printers in the profile. Therefore, the printers provide the specific mode to a server, which is well known in the prior art. Furthermore, Maniwa also teaches an image forming apparatus comprising a memory for storing jobs (i.e., print profiles 1-n in fig. 8); and reporting means for reporting the status of memory of the output device to a server (in fig. 8; col. 21, lines 1-15; note: scan profile of digital copier 102 and scan profile of the server 104 are copied each other. Therefore, the output device has means for reporting the status of print profile in the memory to the MFS.NLM of the server).